





**WEST VIRGINIA  
SECRETARY OF STATE**

**NATALIE E. TENNANT**

**ADMINISTRATIVE LAW DIVISION**

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**7/9/2015 11:39:29 AM**

OFFICE OF  
WEST VIRGINIA SECRETARY OF STATE

**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE  
(Page 2)**

**AGENCY** Education

**RULE TYPE** Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

**RULE NAME** Alternative Programs for the Education of Teachers (5901) 161

**CITE AUTHORITY** W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

**PROVIDE A BRIEF SUMMARY OF YOUR PROPOSAL**

Policy 5901, in place since 1992, is outdated in both theory and in the process by which it has answered the need for teachers in West Virginia classrooms. The purpose of this policy is to establish eligibility criteria and program requirements for alternative teacher education programs which lead to West Virginia professional licensure.

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.**

**Yes**

**Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 126-161



Rule Id: 9930



Document: 26882



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)**

**AGENCY** Education

**RULE TYPE** Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

**RULE NAME** Alternative Programs for the Education of Teachers (5901) 161

**CITE AUTHORITY** W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

**PRIMARY CONTACT**

Office of Professional Preparation  
West Virginia Department of Education  
1900 Kanawha Blvd., East, Capitol Building 6  
Charleston, STATE ZIP

**SECONDARY CONTACT**

Virginia Harris  
West Virginia Board of Education  
1900 Kanawha Blvd., East, Capitol Building 6  
Charleston, STATE SECONDARY ZIP SECONDARY

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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)**

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**CITE AUTHORITY** W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

**SUMMARIZE IN A CLEAR AND CONCISE MANNER WHAT IMPACT THIS MEASURE WILL HAVE ON COSTS AND REVENUES OF STATE GOVERNMENT.**

**There will be no impact on state government cost or revenue should these proposed changes be approved by the WVBE.**

**Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 2)**

**AGENCY** Education

**RULE TYPE** Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

**RULE NAME** Alternative Programs for the Education of Teachers (5901) 161

**CITE AUTHORITY** W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

**FISCAL NOTE DETAIL -- SHOW OVER-ALL EFFECT IN ITEM 1 AND 2 AND, IN ITEM 3, GIVE AN EXPLANATION OF BREAKDOWN BY FISCAL YEAR, INCLUDING LONG-RANGE EFFECT.**

<b>Effect Of Proposal</b>	<b>Current Increase/Decrease (use ' - ')</b>	<b>Next Increase/Decrease (use ' - ')</b>	<b>Fiscal Year (Upon Full Implementation)</b>
<b>ESTIMATED TOTAL COST</b>	0	0	0
<b>PERSONAL SERVICES</b>	0	0	0
<b>CURRENT EXPENSES</b>	0	0	0
<b>REPAIRS AND ALTERATIONS</b>	0	0	0
<b>ASSETS</b>	0	0	0
<b>OTHER</b>	0	0	0
<b>ESTIMATED TOTAL REVENUES</b>	0	0	0

Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 3)**

**AGENCY** Education

**RULE TYPE** Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

**RULE NAME** Alternative Programs for the Education of Teachers (5901) 161

**CITE AUTHORITY** W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

**3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT). PLEASE INCLUDE ANY INCREASE OR DECREASE IN FEES IN YOUR ESTIMATED TOTAL REVENUES.**

**The proposed changes to Policy 5901 will not require funding at the state level.**

**Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 126-161



Rule Id: 9930



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 4)**

**AGENCY** Education

**RULE TYPE** Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

**RULE NAME** Alternative Programs for the Education of Teachers (5901) 161

**CITE AUTHORITY** W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

PLEASE IDENTIFY ANY AREAS OF VAGUENESS, TECHNICAL DEFECTS, REASONS THE PROPOSED RULE WOULD NOT HAVE A FISCAL IMPACT, AND OR ANY SPECIAL ISSUES NOT CAPTURED ELSEWHERE ON THIS FORM.

The proposed changes to Policy 5901 will not require funding at the state level.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 126-161



Rule Id: 9930



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**FORM 12 -- BRIEF SUMMARY AND STATEMENT OF CIRCUMSTANCES (Page 1)**

AGENCY      Education

RULE TYPE    Legislative Exempt    AMENDMENT TO EXISTING RULE    Yes    TITLE-SERIES    126-

RULE NAME    Alternative Programs for the Education of Teachers (5901)    161

CITE AUTHORITY    W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN RULE AND STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE.

The proposed revisions to Policy 5901 provide strategic guidance for West Virginia Alternative Educator Preparation Providers, who prepare candidates to be eligible for licensure to work in the public schools of West Virginia and assure appropriate steps for preparation and certification of educator candidates. As West Virginia continues to improve the rigor and accountability of all of its educator provider programs, the revised policy focuses on best practices, candidate proficiency, and performance.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Jill M Newman -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 126-161



Rule Id: 9930



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# **EXECUTIVE SUMMARY**

## **WEST VIRGINIA DEPARTMENT OF EDUCATION**

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**Policy Number and Title:** West Virginia Board of Education Policy 5901 – *Alternative Certification Programs for the Education of Teachers*

**Background:** Policy 5901, in place since 1992, is outdated in both theory and in the process by which it has answered the need for teachers in West Virginia classrooms. We propose, therefore, that the Policy 5901 from 1992 be repealed and replaced with the updated language. The purpose of this policy is to establish eligibility criteria and program requirements for alternative teacher education programs which lead to West Virginia professional licensure.

**Proposals:** Repeal Policy 5901 and replace with the following sections of the new Policy 5901:

- **126-161-1. General.** – Repeal of 1992 version of Policy 5901 and replace it with an updated version which will result in new filing and effective dates.
- **126-161-2. Purpose.** The purpose is to create multiple pathways to alternative certification so that qualified individuals from our diverse workforce can become teachers, with the ultimate goal of placing qualified and certified teachers in West Virginia classrooms.
- **126-161-3. Definitions.** A list of definitions specific to the processes and procedures of an alternative certification program as approved by the WVBE. Definitions are included for the following terms relating to the creation of an alternative program and those involved: Accredited Institution of Higher Education, Alternative Certification Program Review, Alternative Program, Alternative Program Teacher, Alternative Program Certificate, Approved Alternative Education Program Provider, and Approved Alternative Program. Additionally, alternative certification program review and Alternative Certification Educator Preparation Program Review Board (ACEPPRB) are included to explain the process by which a program proposal will be approved. The following terms are included and relate to the partnerships necessary to make up an approved alternative program: Partnership, Entity Affiliated with an IHE, and Partnership Agreement. The term Professional Support Team is included to describe the group of professional educators who will support, supervise, and mentor the alternative program teacher. Area of critical need and shortage is defined to ensure the understanding of the district-level posted positions which can be filled by an alternative program teacher.
- **126-161-4. Alternative Program Partnerships and Partnership Agreements.** All alternative certification programs must include a partnership which may only be comprised of certain entities: school(s) or school district(s), IHE, entities affiliated with an IHE, the WVDE, and a Regional Education Service Agency (RESA). Any combination of the named entities may form a partnership for creating an alternative certification program for the education of teachers. Each partnership that forms must have agreements between and among its members that form the partnership. The partnership is the entity that creates the alternative program and proposes it to the WVBE for approval.
- **126-161-5. Alternative Program Instruction and Methods of Instruction.** All approved alternative certification programs for the education of teachers must include training to include specific topics/subjects to ensure that those being trained will be effective teachers. The training is also specific to each group of participants: general education program participants and special

education program participants. Multiple methods of delivery of the training of teachers are allowed.

- **126-161-6. The Professional Support Team.** A professional support team is a group of professional educators who are required to train, supervise, and support the alternative program teacher(s) through various phases of on-the-job training.
- **126-161-7. Alternative Certification Educator Preparation Program Review Board (ACEPPRB).** To obtain WVBE approval for a proposed alternative program for the education of teachers, a program proposal must be submitted in accordance with specific guidelines. The WVBE has created the ACEPPRB who will review program proposals and make recommendations to the WVBE regarding program approval.
- **126-161-8. Components of an Alternative Program Proposal.** Each program proposal must include specific program components and follow specific eligibility requirements for those individuals entering the alternative program.
- **126-161-9. WVBE Approval for Alternative Certification Program Proposals.** Partnerships must notify the WVBE in writing of its intent to become an approved alternative certification program. The ACEPPRB reviews a proposal and makes recommendations to the WVBE. Programs reviewed may be recommended for initial approval, continuing approval, or probationary approval.
- **126-161-10. Comprehensive Evaluation, Recommendation for Licensure and rights of the Alternative Program Teacher.** At the conclusion of the approved alternative certification program for the education of teachers, the alternative program provider is charged with preparing a comprehensive evaluation report of the alternative program teacher's performance and submit a recommendation to the State Superintendent of Schools that will indicate whether or not the alternative program teacher will receive professional teacher licensure. The alternative program teacher retains the right to appeal the recommendation of the program provider.
- **126-161-11. Prohibited acts.** The partnership is required to meet all requirements set forth within the policy and may not operate outside of these guidelines.
- **126-161-12. Contract Renewals.** The contract renewal of the alternative program teacher is subject to specific rules as described in this section.
- **126-161-13. Severability.** If any provision of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this rule.

**Impact:** The proposed revisions to Policy 5901 provide strategic guidance for West Virginia Alternative Educator Preparation Providers, who prepare candidates to be eligible for licensure to work in the public schools of West Virginia and assure appropriate steps for preparation and certification of educator candidates. As West Virginia continues to improve the rigor and accountability of all of its educator provider programs, the revised policy focuses on best practices, candidate proficiency, and performance.

**Response to Comments:**

West Virginia Policy 5901

Alternative Programs for the Education of Teachers

Stakeholders

May 8, 2015

Stakeholder Name	Affiliation
Dr. Monica A. Beane	WVDE
Robert Hagerman	WVDE
Linda Bragg	WVDE
Teresa Epperley	WVDE
Brad Fittro	WVDE
Sarah Stewart	WVDE
Dr. Teresa Eagle	Marshall University Graduate College
Dr. Dixie Bellheimer	West Virginia Center for Professional Development
MaryJane Pope-Albin	Wirt County Schools
Susan Grady	Mineral County
Dr. Justin Schooley	Berkeley County
Margaret Pennington	Fayette County
David Dilly	Braxton County
Carol Hamric	Kanawha County
Duane Dober	Tyler County
Kay Goodwin	Secretary for the Department of Education and the Arts
West Virginia Commission for Professional Teaching Standards	WVCPTS
Dr. Paul Hill	Chancellor, WV Higher Education Policy Commission
Deborah Hartshorn	Wirt County High School

**126CSR161**

Title 126  
Legislative Rule  
Board of Education

Series 161  
Alternative Certification Programs for the Education of Teachers (5901)

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TITLE 126  
LEGISLATIVE RULE  
BOARD OF EDUCATION

SERIES 161  
ALTERNATIVE CERTIFICATION PROGRAMS  
FOR THE EDUCATION OF TEACHERS (5901)

**§126-161-1. General.**

1.1. Scope. This legislative rule creates a process for the development of alternative programs for the education of teachers to be created through which qualified persons will become licensed teachers in West Virginia.

1.2. Authority. West Virginia Constitution, Article XII, §2 and W. Va. Code §18A-3-1a, §18A-3-1b, §18A-3-1c, §18A-3-1d, §18A-3-1e, §18A-3-1f, §18A-3-1g, §18A-3-1h, and §18A-3-1i.

1.3. Filing Date.

1.4. Effective Date.

1.5. Repeal of former rule. This legislative rule repeals and replaces W. Va. 126CSR161, West Virginia Board of Education Policy 5901, "Alternative Program for the Education of Teachers," filed February 26, 1992 and effective March 25, 1992.

**§126-161-2. Purpose.**

2.1. The purpose of this policy is to create an alternative means for a qualified person to earn a professional teaching certificate by authorizing a school or school district to offer a rigorous alternative program for teacher certification in partnership with a regionally accredited higher education institution, an entity affiliated with a regionally accredited higher education institution, the West Virginia Department of Education (WVDE) or a regional education service agency (RESA), all under the supervision of the West Virginia ~~State~~ Board of Education ~~herein-after~~ (WVBE).

**§126-161-3. Definitions.**

3.1. Definitions. The following terms have the meanings ascribed to them, unless the context in which a term is used clearly requires a different meaning:

3.1.a. Accredited Institution of Higher Education (IHE) is a college or university accredited by one of the regional accrediting agencies recognized by the Council for Higher Education Accreditation (CHEA), OR by one of the National Faith-Related Accrediting Organizations recognized by CHEA and the United States Department of Education, OR by the Accrediting Council for Independent Colleges and Schools, to award degrees at a stipulated level, i.e., bachelor's degree, master's degree, and/or doctorate.

3.1.b. Alternative certification program review is the process adopted by the WVBE to review and recommend for approval all proposals for alternative certification educator preparation programs leading to licensure to work in the public schools of West Virginia. The Alternative Certification Educator Preparation Program Review Board (ACEPPRB) will review all proposals for alternative certification

programs in accordance with §126-161-7 of this policy. Proposals approved will meet or exceed requirements for alternative certification programs for the education of teachers as set forth in W. Va. Code §18A-3-1a through §18A-3-1i.

3.1.b.1. Alternative Certification Educator Preparation Program Review Board (ACEPPRB). The WVBE has created the ACEPPRB to make recommendations to the WVBE regarding program approval of initial, continuing, and probationary status of alternative certification programs for the education of teachers.

3.1.c. Alternative certification program is a program for teacher education that is offered as an alternative to the traditional college or university programs for the education of teachers;

3.1.d. Alternative certification program teacher is an individual who holds an alternative program teacher certificate and who is enrolled and participates in an alternative program for the education of teachers;

3.1.e. Alternative program teacher certificate is a teaching certificate issued by the State Superintendent of Schools that authorizes a person to teach while enrolled and participating in a WVBE-approved alternative certification program for the education of teachers. An alternative program teacher certificate is the same as a professional teaching certificate for the purpose of issuing a continuing contract. The alternative program teacher certificate is issued for a period of not more than three years and cannot be renewed. The validity of the alternative program teacher's certificate is subject to the following:

3.1.e.1. the teacher to whom it is issued shows satisfactory progress in the alternative program for the education of teachers; AND

3.1.e.2. the teacher to whom it is issued remains enrolled in and actively participates in a WVBE-approved alternative program for the education of teachers; AND

3.1.e.3. the teacher to whom it is issued remains employed in the critical shortage position for which he/she was hired in a school that is part of a partnership of a WVBE-approved alternative program for the education of teachers.

3.1.f. Approved alternative education program provider describes a partnership as described in W. Va. Code §18A-3-1b that the WVBE has approved to provide an alternative program for the education of teachers;

3.1.g. Approved alternative education program is a program for the education of teachers that is separate and different from traditional programs for teachers and has been approved by the WVBE in accordance with W. Va. Code §18A-3-1e;

3.1.h. Area of critical need and shortage is a West Virginia school district-posted teaching position that has been posted at least two times, or for a ten-day period, and for which no fully-certified person has applied pursuant to W. Va. Code §18A-4-7a.

3.1.i. Entity affiliated with an IHE is one member of a partnership of a WVBE-approved alternative certification program for the education of teachers that is neither a West Virginia school or school district, the WVDE, nor a regional education service agency, but has an official agreement or contract with a West Virginia regionally accredited institution of higher education, that provides for responsibilities including, but not limited to, recruitment, support, supervision, and mentoring of the alternative program teachers who are enrolled in its program.

3.1.j. Partnership is a combination of any of the following: school district(s), an institution of higher education, an entity affiliated with an institution of higher education, the West Virginia Department of Education, or a Regional Education Service Agency (RESA) and formed pursuant to W. Va. Code §18A-3-1b to provide an alternative program for the education of teachers;

3.1.k. Partnership agreement is a memorandum of understanding (MOU) or an agreement adopted by a partnership pursuant to W. Va. Code §18A-3-1b;

3.1.l. Professional support team is the group of professional educators that an approved alternative education program provider has selected to train, support, supervise and mentor alternative program teachers.

#### **§126-161-4. Alternative Program Partnerships; Partnership Agreements.**

4.1. All WVBE-approved alternative program partnerships are formed pursuant W. Va. Code §18A-3-1b(c). In addition to one or more West Virginia schools or school districts, a partnership shall also include one or more of the following:

4.1.a. a regionally accredited institution of higher education (IHE) with a program for the education of professional educators that has been approved by the WVBE;

4.1.b. an entity affiliated with a regionally accredited institution of higher education (IHE) that has a WVBE-approved program for the education of professional educators;

4.1.c. the West Virginia Department of Education; OR

4.1.d. a regional education service agency (RESA).

4.2. Partnership agreement contents. A partnership shall adopt written partnership agreements that govern how the partnership will conduct its alternative program for the education of teachers. An agreement will identify the rights, roles, and responsibilities of each partner, and at a minimum, the partnership agreement(s) shall also include the following:

4.2.a. procedures for determining whether a person is eligible to enroll in a WVBE-approved alternative certification program; AND

4.2.b. a requirement that a vacancy must be advertised at least twice (ten working days) pursuant to W. Va. Code §18A-3-1a, and if no certified teacher applies, only then will the partnership consider accepting a candidate in the alternative program for the education of teachers; AND

4.2.c. procedures and criteria for making a formal offer of employment to the candidate who is eligible to enroll in the alternative program for the education of teachers and who has applied for the posted position; AND

4.2.d. a detailed list, with descriptions of the categories, methods, and sources of instruction that the alternative program will provide; AND

4.2.e. a detailed description of the academic and performance standards that the alternative program teacher shall satisfy in order to receive the partnership's recommendation that the State Superintendent issue to him/her a professional teaching certificate; AND



4.2.f. procedures for selecting and training the professional support team, pursuant to W. Va. Code §18A-3-1c, who will instruct, mentor, and/or supervise the alternative program teacher(s); AND

4.2.g. provisions for determining tuition or other charges, if any, relating to an alternative program for the education of teachers pursuant to W. Va. Code §18A-3-1c; AND

4.2.h. a requirement, subject to the provisions of W. Va. Code §18A-3-1f if that the hiring authority for any school or school district that hires an alternative program teacher will renew the alternative program teacher's contract from year to year as long as he/she makes satisfactory progress in the alternative education program and until he/she completes the alternative program for the education of teachers; AND

4.2.i. a detailed description of on-the-job training and supervision the alternative program will provide;

4.2.j. any other provisions that the partners consider necessary or helpful to ensure that the alternative program operates in accordance with this policy.

#### **§126-161-5. Alternative Program Instruction; Methods of Instruction.**

5.1. Instruction requirements for general education content teachers in a WVBE-approved alternative program for the education of teachers shall provide, at a minimum, the following:

5.1.a. six semester credit hours of instruction to include, but not be limited to, the following: student assessment, development and learning, curriculum, classroom management, use of educational computers and other technology, special education and diversity, and school law. If the alternative program teacher will be teaching children in elementary school, he/she must also receive instruction in early literacy; OR

5.1.b. six or more WVDE-approved staff development hours of instruction in each of the following topics: student assessment, development and learning, curriculum, classroom management, use of educational computers and other technology, special education and diversity and school law. If the alternative program teacher will be teaching children in elementary school, he/she must also receive instruction in early literacy. The staff development shall be done in coordination with the West Virginia Center for Professional Development.

5.2. Instruction requirements for preparing highly qualified special education teachers in a WVBE-approved alternative program for the education teachers shall include, but not be limited to, the following:

5.2.a. six semester credit hours of instruction to include, but not be limited to, the following: student assessment, development and learning, curriculum, classroom management, use of educational computers and other technology, and special education and diversity and school law and Individuals with Disabilities Education Act (IDEA). If the alternative program teacher will be teaching children in elementary school, he/she must also receive instruction in early literacy; OR

5.2.b. six or more WVDE-approved staff development hours of instruction in each of the following: student assessment, development and learning, curriculum, classroom management, use of educational computers and other technology, special education and diversity, and school law and IDEA. If the alternative program teacher will be teaching children in elementary school, he/she must also receive

instruction in early literacy. The staff development shall be done in coordination with the West Virginia Center for Professional Development; AND

5.2.c. Additional instruction shall include the skills necessary for the delivery of instructional services to students with disabilities. Programs shall also contain instruction focused on developing Individualized Education Plans (IEP) with WVBE content standards and objectives, differentiated instruction, school and IDEA law, and behavioral interventions and supports, and preparation necessary to help the alternative program teacher meet the proficiency score(s) on the appropriate state competency exam(s) in special education content and the state competency exam(s) in pedagogy.

5.3. Instruction requirements for highly qualified special education teachers. An alternative program for highly qualified special education teachers is separate from the programs established under W. Va. Code §18A-3-1b and §18A-3-1h and are applicable only to certified teachers who have at least a bachelor's degree from a program for the preparation of teachers from a regionally accredited institution of higher education.

5.3.a. These programs are subject to the other provisions of W. Va. Code §18A-3-1b, §18A-3-1c, and §18A-3-1f.

5.3.b. These programs may be an alternative to the standard college and university programs for the education of special education teachers and also may address the content for content area preparation of certified special education teachers.

5.3.c. These programs shall incorporate WVDE-approved professional development to the maximum extent possible to help teachers who are currently certified in special education obtain the required content to satisfy requirements for twenty-one credit hours in each of the following content areas: English/language arts, math, biology, general science, and social studies.

5.3.d. Participation in an alternative education program pursuant to this section may not affect any rights, privileges or benefits to which the participant otherwise would be entitled as a regular employee and may not alter any rights, privileges or benefits of participants on continuing contract status.

5.4. Methods of instruction. A WVBE-approved alternative program for the education of teachers may provide instruction through nontraditional methods including, but not limited to, methods such as a series of modules covering the various topics, electronically delivered instruction, summer sessions, WVDE-approved professional development and job-embedded mentoring.

5.5. Training and/or testing of instructors of lab based/experiential settings/courses. A WVDE-approved training/course(s) that includes but is not limited to the following topics: student and staff safety, lab safety, lab management, and instructional procedures for the lab setting. Program participants may be required to pass a WVDE approved assessment to demonstrate proficient knowledge and skills to safely and adequately teach in a lab setting. For Driver Education, program participants must also meet the requirements identified in W. Va. 126CSR136, WVBE Policy 5202, Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (Policy 5202), subsections 2-6 of section 21.1.c.

#### **§126-161-6. The Professional Support Team.**

6.1. Professional Support Team. A WVBE-approved alternative program for the education of teachers shall provide a professional support team whose structure is consistent with the induction model that the partnership's participating school or schools follow for supporting, supervising, inducting, and

mentoring a beginning teacher, as described in the district's plan of Support for Improving Professional Practice (WV SIPP) pursuant to W. Va. Code §18A-3C-3;

6.1.a. The professional support team shall be trained by and in coordination with the West Virginia Center for Professional Development;

6.2. The Professional Support Team and Phases of Support. The district superintendent, or his/her designee, of an approved education provider in a WVBE-approved alternative program for the education of teachers shall submit the following documentation/evidence to the WVDE at the conclusion of a teacher's participation in a WVBE-approved alternative program for the education of teachers:

6.2.a. team members and evidence of training of the professional support team;

6.2.b. copies of notes for monthly meetings of the professional support team;

6.2.c. copies of weekly observation notes for each alternative program teacher reflecting the supervisory activities (observations, reflection meetings, etc.) team members completed with the alternative program teacher during the teacher's first semester of his/her first year in the alternative certification program;

6.2.d. copies of bi-weekly observation notes for each alternative program teacher reflecting the supervisory activities of the team members during the second semester of the teacher's first year in the alternative certification program;

6.2.e. copies of any other documentation the Professional Support Team may have in regard to each teacher's progress in the alternative program;

6.2.f. at the conclusion of a teacher's participation in the alternative program, a copy of the alternative program teacher's final evaluation recommendation.

6.3. Evaluations of teachers in an alternative program for the education of teachers. The professional support team shall provide written evaluation reports of each alternative program teacher and submit copies of each report to the alternative program provider prior to the first day of the final full month of the school year in the teachers' first year of participation in the program. Pursuant to section §126-161-8.1.i. of this policy, evaluations shall be conducted at designated times throughout each teacher's first year participating in the alternative program, and at a minimum, every six to eight weeks, at the discretion of the professional support team and in collaboration with the school principal. Evaluation reports shall be submitted to WVDE using a form designed by the alternative program provider and approved by the principal. Progress evaluations shall also meet the following criteria:

6.3.a. Each evaluation report shall describe an alternative program teacher's progress toward meeting the alternative program's academic and performance standards, in accordance with §126-161-8.1.p. and including the results of the performance assessments as described in §126-161-8 of this policy; AND

6.3.b. At the conclusion of an approved alternative program for the education of teachers, the approved education provider shall prepare a comprehensive evaluation report on the alternative program teacher's performance using the following as guidance:

6.3.b.1. A comprehensive evaluation report, submitted to the State Superintendent of Schools, shall contain a recommendation regarding professional licensure of the alternative program

teacher. The State Superintendent of Schools shall develop standard forms for this report, and the report shall be made on one or more of the State Superintendent's forms. The recommendation shall include the signature of the program teacher, the principal, the district superintendent, and at least one other member of the Professional Support Team;

6.3.c. All final decisions on the progress of an alternative program teacher shall rest with the principal.

#### **§126-161-7. Alternative Certification Educator Preparation Program Review Board (ACEPPRB).**

7.1. Alternative Certification Educator Preparation Program Review Board Purpose (ACEPPRB). The WVBE has created the ACEPPRB to make recommendations to the WVBE regarding initial and continuing alternative certification educator preparation program approval.

7.2. ACEPPRB Composition. The ACEPPRB shall be comprised of eight members selected from a pool of trained educators; two members shall represent higher education (one representative appointed by the West Virginia Higher Education Policy Commission and one representative appointed by the West Virginia Independent Colleges and Universities); three members (one who was alternatively prepared) shall represent public education, one at each programmatic level for elementary, middle school and high school, appointed by the WVBE; one district/central office representative, also appointed by the WVBE; one principal representing the West Virginia Center for Professional Development (CPD) appointed by the Cabinet Secretary for the Department of Education and the Arts; and one representative from the WVCPTS appointed by its chairperson. The terms of the ACEPPRB members shall be for three years. An ACEPPRB member must exempt himself/herself from deliberations and actions related to the status of an alternative certification program's approval if he/she is an employee of any member of the partnerships that have a proposal under the committee's review. ACEPPRB members may not be appointed to serve more than two consecutive terms.

7.3. ACEPPRB Functions. The primary functions of the ACEPPRB are to review documents and alternative certification program proposals submitted by partnerships requesting program approval for new and/or revised alternative certification educator preparation programs that lead to licensure to work in the public schools of West Virginia.

7.4. ACEPPRB Procedures. An ACEPPRB member must exempt himself/herself from deliberations and actions related to the status of a program's proposal if he/she is a current employee of any member of the partnership making the proposal. The ACEPPRB shall meet at least once each academic semester, including summer, unless no materials have been submitted to it for review. Upon review of a proposed alternative certification program, the ACEPPRB will write and submit a report to the WVBE. If the ACEPPRB determines and verifies in its written report that a proposed alternative certification program for the education of teachers has serious weaknesses, the ACEPPRB may recommend that the WVBE not grant approval. The following shall guide the recommendation process and written review of the ACEPPRB:

7.4.a. The ACEPPRB may recommend to the WVBE to approve a partnership's application proposal to operate an alternative program for the education of teachers if the proposed program, in all material respects, complies or will comply with all components of an alternative certification program as set forth in this Policy; OR

7.4.b. The ACEPPRB may recommend to the WVBE to approve a partnership's application proposal to operate an alternative program to prepare highly qualified special education

teachers if the proposed program, in all material respects, complies or will comply with all components of an alternative certification program as set forth in this policy; OR

7.4.c. The ACEPPRB may recommend to the WVBE to approve a partnership's application to operate an alternative program for highly qualified special education teachers if the proposed alternative program, in all material respects, complies or will comply with all components of an alternative certification program as set forth in this policy.

7.5. All alternative certification program proposals shall be reviewed by the ACEPPRB in accordance with this policy.

#### **§126-161-8. Components of an Alternative Certification Program Proposal.**

8.1. In addition to the requirements described in sections 4, 5, and 6 of this policy and the guidelines described in section 7 of this policy, a proposal for an alternative program for the education of teachers must include, at a minimum, each of the following components in order to be considered for approval:

8.1.a. the name of the Alternative Certification Program being proposed; AND

8.1.a.1. a brief description of the program including the professional teacher licensure to which the program will lead: professional teacher licensure for general education teachers, special education teachers, Career and Technical Education teachers, elementary teachers, teachers of American Sign Language, or combination of these; AND

8.1.a.2. the grade levels and endorsements program completers will be issued in accordance with Policy 5202; AND

8.1.b. each partner that makes up the partnership of the alternative certification program being proposed; AND

8.1.b.1. a list of roles and responsibilities of each program partner, i.e., alternative program provider, program participant/teacher, school principal, district superintendent, IHE, etc.; AND

8.1.b.2. a description of the method(s) used for selecting team members, and a list of members and their job titles that make up the Professional Support Team; AND

8.1.c. a detailed list of the academic and performance standards by which the alternative program teacher(s) will be evaluated, including, but not limited to performance assessments as described in the following:

8.1.c.1. a description of a minimum of three performance assessments that will be required of each program teacher during his/her first year in the alternative certification program, including copies of the rubrics that will be used for each assessment; AND

8.1.d. an orderly set of deadlines, forms, and guidance to govern each member in the partnership AND

8.1.e. the process for recruiting persons to enroll in the alternative program; AND

8.1.f. a candidate's process for enrolling in an approved education provider's alternative program for the education of teachers, including when to apply to WVDE for an alternative program teacher certificate; AND

8.1.g. procedures for developing the partnership agreement(s) and copies of each partnership agreement; AND

8.1.h. procedures for determining eligibility of candidates pursuant to each of the following requirements:

8.1.h.1. Eligibility: procedures and criteria for determining whether a person is eligible, pursuant to W. Va. Code §18A-3-1f, to enroll in the alternative program for the education of teachers; eligibility criteria must include, but not be limited to, the following:

8.1.h.2. Possess a minimum of a bachelor's degree from a regionally accredited institution of higher education; AND

8.1.h.3. Pass the same basic skills and subject matter test or tests required by the WVBE for traditional program candidates to become certified in the content area for which he/she is seeking licensure:

8.1.h.3.A. Prior to being hired at the district level as an alternative program participant, program candidates in a general education teaching path of a WVBE-approved program for alternative certification must submit to WVDE and to the alternative program provider passing scores on pre-professional skills test or tests or evidence of a qualifying exemption as described in Policy 5202, and passing scores on the subject matter test or tests required by the WVBE. At the conclusion of the WVBE-approved alternative certification program for the education of teachers, teachers in the general education teaching path shall be required to meet the proficiency score(s) on the appropriate state competency exam(s) in pedagogy. All WVBE-required tests described here are identified in Appendix B of Policy 5202.

8.1.h.3.B. Prior to being hired at the district level as an alternative program participant, program candidates in the special education teaching path of a WVBE-approved program for alternative certification to prepare highly qualified special education teachers must submit to WVDE and to the alternative program provider passing scores on WVBE-approved pre-professional skills test or tests, or evidence of a qualifying exemption as described in Policy 5202. At the conclusion of the alternative certification program teachers in the special education teaching path completing a WVBE-approved alternative certification program to prepare highly qualified special education teachers shall be required to meet the proficiency score(s) on the appropriate state competency exam(s) in special education content and the state competency exam(s) in pedagogy as identified in Appendix B of Policy 5202.

8.1.h.4. Eligibility for alternative program certificate: American Sign Language. If a person seeks certification to teach American Sign Language, in addition to other eligibility requirements as described in this Policy, he/she shall pass one or more appropriate WVBE approved tests demonstrating his/her proficiency in American Sign Language.

8.1.h.5. Eligibility for alternative program certificate: selected vocational and technical areas. If a person seeks certification to teach in selected vocational and technical areas, in lieu of sections 8.1.h.2. and 8.1.h.3. of this policy, he/she shall pass one or more appropriate WVBE approved tests demonstrating his/her proficiency in the basic skills and occupational content areas as identified in Appendix C of Policy 5202; AND

8.1.h.6. hold United States citizenship; AND

8.1.h.7. be of good moral character; AND

8.1.h.8. be physically, mentally, and emotionally qualified to perform the duties of a teacher; AND

8.1.h.9. attain the age of eighteen years on or before October 1 of the year in which the alternative program teacher certificate is issued; AND

8.1.h.10. receive a formal offer of employment from a county superintendent in an area of critical need and shortage and by a school or school district that is a member of an approved educational provider; AND

8.1.h.11. possess either transcripts reflecting an academic major or an occupational area in the same as or similar to the subject matter which the alternative program candidate is being hired to teach; AND

8.1.h.12. qualify for employment in the public schools of West Virginia after a criminal history check is made pursuant to W. Va. Code §18A-3-10; AND

8.1.h.13. meet other requirements for teacher licensure pursuant to Policy 5202 and W. Va. Code §18A-3-1; AND

8.1.i. standards for how often and what lengths of time an alternative program teacher must be observed and must observe in the classroom of a mentor or other experienced teacher(s); AND

8.1.j. guidelines for determining what tuition or other charges an approved education provider may impose relating to an alternative program for the education of teachers in accordance with W. Va. Code §18A-3-1c and the following:

8.1.j.1. A partnership may not charge tuition or impose any other charge for the participation in an alternative program for the education of teachers, *unless* the tuition or other charge is necessary to offset the partnership's cost of providing the alternative program for the education of teachers; and *provided*:

8.1.j.1.A. a partner that is a regionally accredited institution of higher education with a WVBE-approved program for the education of teachers may charge tuition for academic credit that an alternative teacher receives while enrolled in the alternative program for the education of teachers, *provided*:

8.1.j.1.B. the regionally accredited institution of higher education is the entity that grants the academic credit; AND

8.1.j.1.C. the charge does not exceed the per-credit rate charged for students enrolled in its standard program for the education of professional educators; AND

8.1.k. a process for alternative program participants to apply for and obtain their alternative program teaching certificate; AND

8.1.l. a sample of each form to be used by members of the Professional Support Team when observing, modeling strategies, videoing instruction, evaluating, etc., the alternative program teacher(s), and any other forms the team may use; AND

8.1.m. a detailed list of course descriptions and/or staff development and the delivery methods for the required instruction as listed in section §126-161-5 of this policy; AND

8.1.n. a calendar or schedule of events for the alternative program including, but not limited to, when and how instruction is delivered, who delivers the instruction, due dates for program reports and evaluations, expected time for program completers to finish, etc.; AND

8.1.o. a list of guidelines and/or plans for preparing the alternative program teacher to pass his/her state-approved and required competency exam(s) for teaching; AND

8.1.p. standards for evaluation of the alternative program teacher as set forth in §126-161-6 and §126-161-9 of this policy; AND

8.1.q. processes and/or procedures for communicating the final evaluation and recommendation of the alternative program teacher to the State Superintendent of Schools, including ensuring the alternative program teacher understands his/her right to appeal and the appeal process; AND

8.1.r. assurances of compliance with all sections of this policy.

#### **§126-161-9. WVBE Approval for Alternative Certification Program Proposals.**

9.1. Request for Program Approval. A partnership shall make written notification to the WVBE of its intent to become an alternative certification program provider at least sixty days prior to the ACEPPRB's scheduled meeting.

9.1.a. A second written notification from the partnership shall be submitted at least thirty days prior to the ACEPPRB's scheduled meeting.

9.1.a.1. All program proposals must be complete when received;

9.1.a.2. Incomplete proposals will not be reviewed or returned to the submitting partnership.

9.2. Upon recommendation from the ACEPPRB, the WVBE may grant approval of alternative certification programs as follows:

9.3. Initial Approval Status. The WVBE, upon recommendation of ACEPPRB, may classify the status of an alternative certification program provider as follows: *Initial Approval Status*, *Continuing Approval Status*, and *Probationary Approval Status*:

9.3.a. Initial Approval Status. Following a review and recommendation by the ACEPPRB, the WVBE may grant *initial approval* to a new or revised alternative certification program provider. *Initial Approval Status* may be granted by the WVBE for a period of up to five years. The alternative certification program provider will be required to document its progress and ensure the success of its graduates to promote student achievement in the public schools in West Virginia. During the *initial approval* status, the alternative certification program provider may make recommendations for licensure of those who successfully complete its program.



9.3.a.1. All revisions for a WVBE-approved alternative certification program must be submitted to the ACEPPRB in writing following the same process as described in section §126-161-9.1 of this policy for an initial program proposal.

9.3.b. Continuing Approval Status. Following a review and recommendation by the ACEPPRB, the WVBE may grant *Continuing Approval Status* to those alternative certification program providers who have documented success with its program completers. Success is measured in the retention of the number of program completers and their impact on student achievement as documented through the West Virginia Educator's Evaluation System. For an approved program to remain on the *Continuing Approval Status*, a program review will take place on a 7-year cycle.

9.3.c. Probationary Approval Status. Following a review and recommendation by the ACEPPRB, the WVBE may assign *Probationary Approval Status* to alternative certification program providers that fail to document adequate progress and/or success with program participants and completers.

#### **§126-161-10. Comprehensive Evaluation, Recommendation for Licensure and Rights of the Alternative Program Teacher.**

10.1. At the conclusion of an approved alternative program for the education of teachers, the approved education provider shall prepare a comprehensive evaluation report on the alternative program teacher's performance using the following as guidance:

10.1.a. A comprehensive evaluation report, submitted to the State Superintendent of Schools, shall contain a recommendation regarding professional licensure of the alternative program teacher. The State Superintendent of Schools shall develop standard forms for this report, and the report shall be made on one or more of the State Superintendent's forms;

10.1.a.1. Recommendations. The comprehensive evaluation report shall include one of the following recommendations:

10.1.a.1.A. Approved: Recommends issuance of a professional teaching certificate to include the name of the teacher and the endorsement(s) and grade levels for licensure as listed in Appendix A of Policy 5202; OR

10.1.a.1.B. Insufficient: Recommends that a professional teaching certificate not be issued but that the candidate be allowed to seek reentry on one or more occasions in the future to an approved alternative program for the education of teachers; OR

10.1.a.1.C. Disapproved: Recommends the following:

10.1.a.1.C.1. a professional teaching certificate not be issued to the alternative program teacher; AND/OR

10.1.a.1.C.2. the alternative program teacher will not be allowed to enter into another approved alternative program for the education of teachers in West Virginia; AND/OR

10.1.a.1.C.3. the alternative program teacher will not be prohibited from pursuing teacher certification through a traditional route in other approved programs for the education of teachers in West Virginia.

10.2. Rights of the alternative program teacher. The approved education provider shall provide the alternative program teacher with a copy of the alternative program teacher's written evaluation report and recommendations *before* the approved education provider submits the report to the State Superintendent of Schools.

10.2.a. The alternative program teacher has the right to appeal the alternative certification program provider's recommendation, provided:

10.2.a.1. the written appeal is in accordance with the certification appeals process established by the WVBE for alternative programs for the education of teachers; AND

10.2.a.2. the written appeal is submitted within fifteen days of the alternative certification program teacher's receipt of the alternative program provider's recommendation.

#### **§126-161-11. Prohibited Acts.**

11.1. A partnership may not implement an alternative program until the partnership's alternative program has been approved by the WVBE.

11.2. A school or school district may not employ, or make a formal offer of employment to any person for the purpose of his or her participation in an alternative certification program unless the alternative certification program is approved by the WVBE and the school or school district is a member of the partnership that is operating the alternative certification program.

11.3. A school or school district may not continue to employ an alternative program teacher unless he or she makes satisfactory progress in the alternative certification program for which he or she is enrolled.

11.4. An alternative teaching certificate is good for three years as long as the alternative program teacher makes satisfactory progress as described in §126-161-3.1.e of this policy, and may not be renewed.

#### **§126-161-12. Contract renewals.**

12.1. A county board shall renew an alternative program teacher's contract from year to year as long as he/she makes satisfactory progress in the applicable alternative education program and until he or she completes the alternative certification program.

12.2. An alternative program teacher is subject to the same force reduction rules and procedures as any other employee, except those that relate to seniority. In no event will an alternative program teacher displace a professional educator as defined in W. Va. Code §18A-3-1.

#### **§126-161-13. Severability.**

13.1. If any provision of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this rule.

**126CSR161**

**POLICY 5901: Alternative Programs for the Education of Teachers**

**COMMENT PERIOD ENDS: August 10, 2015**

**COMMENT RESPONSE FORM**

**NOTICE:** Comments, as submitted, shall be filed with the West Virginia Secretary of State's Office and open for public inspection and copying for a period of not less than five years.

The following form is provided to assist those who choose to comment on **POLICY 5901: Alternative Programs for the Education of Teachers**. Additional sheets may be attached, if necessary.

Name: \_\_\_\_\_ Organization: \_\_\_\_\_

Title: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Please check the box below that best describes your role.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> School System Superintendent | <input type="checkbox"/> School System Staff | <input type="checkbox"/> Parent/Family     |
| <input type="checkbox"/> Principal                    | <input type="checkbox"/> Teacher             | <input type="checkbox"/> Business/Industry |
| <input type="checkbox"/> Professional Support Staff   | <input type="checkbox"/> Service Personnel   | <input type="checkbox"/> Community Member  |

COMMENTS/SUGGESTIONS
126-161-1. General.
126-161-2. Purpose.
126-161-3. Definitions.
126-161-4. Alternative program partnerships; partnership agreements.
126-161-5. Alternative program instruction; methods of instruction.

## 126CSR161

126-161-6. The professional support team.
126-161-7. Alternative Certification Educator Preparation Program Review Board (ACEPPRB).
126-161-8. Components of an alternative program proposal.
126-161-9. WVBE Approval of an Alternative Program Proposal.
126-161-10. Comprehensive Evaluation, Recommendation for Licensure and Rights of the Alternative Program Teacher
126-161-11. Prohibited acts.
126-161-12. Contract renewals.
126-161-13. Severability.

Please direct all comments to:

Robert Mellace, Coordinator  
Office of Professional Preparation  
West Virginia Department of Education  
Capitol Building 6, Room 304  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0330  
E-Mail Address: [rmellace@k12.wv.us](mailto:rmellace@k12.wv.us)  
Fax No: (304) 558-7843